

ESTTA Tracking number: **ESTTA474282**

Filing date: **05/24/2012**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91205107
Party	Defendant Edmund D Samora LLC dba First Colony Taxi
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Submission	Answer
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Date	05/24/2012
Attachments	Answer to Opposition.pdf (5 pages)(93679 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

Sugarland Properties, Incorporated,)	
)	Opposition No. 91205107
Opposer,)	
)	Ser. No. 85478417
v.)	
)	
Edmund D. Samora, LLC,)	
)	
Applicant.)	

ANSWER TO NOTICE OF OPPOSITION

Applicant, Edmund D. Samora, LLC (“Applicant”), by and through the undersigned, hereby submits this Answer to Notice of Opposition (“Opposition”) of Opposer Sugarland Properties, Incorporated (“Opposer”) as follows:

1. Applicant lacks sufficient information or belief regarding the allegations made in paragraph one of the Opposition and on that ground denies the allegations of paragraph one.
2. Applicant denies the allegations of paragraph two of the Opposition.
3. Applicant admits the allegations made in paragraph three of the Opposition.
4. Paragraph four of the Opposition contains an averment to which no response is required; however, out of an abundance of caution, Applicant denies the same.
5. Applicant lacks sufficient information or belief regarding the allegations made in paragraph five of the Opposition and on that ground denies the allegations of paragraph five.
6. Applicant lacks sufficient information or belief regarding the allegations made in paragraph six of the Opposition and on that ground denies the allegations of paragraph six.
7. Applicant lacks sufficient information or belief regarding the allegations made in paragraph seven of the Opposition and on that ground denies the allegations of paragraph seven.

8. Applicant lacks sufficient information or belief regarding the allegations made in paragraph eight of the Opposition and on that ground denies the allegations of paragraph eight.

9. Applicant admits that Opposer is listed as the owner of record for U.S. Trademark Reg. No. 3,323,420 for FIRST COLONY, and that the Registration states that it is for use in connection with “Newsletters in the field of community deed restriction compliance issues, and community sporting and cultural events,” in International Class 016, and “Organizing community sporting and cultural events,” in International Class 041. Applicant lacks sufficient information or belief regarding the remaining allegations made in paragraph nine of the Opposition and on that ground denies the allegations of paragraph nine.

10. Paragraph ten of the Opposition states that U.S. Trademark Office electronic records of the status and title of U.S. Reg. No. 3,323,420 are attached as Exhibit 1; although this is an averment to which no response is required, out of an abundance of caution, Applicant denies the same.

11. Applicant denies the allegations contained in paragraph eleven of the Opposition.

12. Applicant lacks sufficient information or belief regarding the allegations made in paragraph twelve of the Opposition and on that ground denies the allegations of paragraph twelve.

13. Applicant denies the allegations contained in paragraph thirteen of the Opposition.

14. Applicant lacks sufficient information or belief regarding the allegations made in paragraph fourteen of the Opposition and on that ground denies the allegations of paragraph fourteen.

15. Applicant denies the allegations made in paragraph fifteen of the Opposition.

16. Applicant admits that its mark that is the subject of U.S. Trademark Serial No. 85/478417 contains the terms FIRST COLONY TAXI; Applicant denies the allegations made in paragraph sixteen of the Opposition.

17. Applicant lacks sufficient information or belief regarding the allegations made in paragraph seventeen of the Opposition and on that ground denies the allegations of paragraph seventeen.

18. Applicant denies the allegations made in paragraph eighteen of the Opposition.

19. Applicant denies the allegations made in paragraph nineteen of the Opposition.

20. Applicant admits that Opposer provided written correspondence to Applicant, but Applicant denies the substance of those communications and, out of abundance of caution, denies the remaining allegations contained in paragraph twenty of the Opposition.

21. Applicant admits that U.S. Trademark Serial No. 85/478417 was filed on November 21, 2011. Applicant acknowledges that an email from Applicant's representative to Carl Favre appears in paragraph twenty one. Applicant denies the remaining allegations contained in paragraph twenty one of the Opposition.

22. Applicant denies the allegations made in paragraph twenty two of the Opposition.

23. Applicant admits that Opposer filed a lawsuit in federal court in the Southern District of Texas, that a copy of the amended complaint appears to be attached to the Opposition as Exhibit 3, and that the lawsuit is pending. Applicant denies the remaining allegations of paragraph twenty three of the Opposition.

CERTIFICATE OF SERVICE

I hereby certify that, pursuant to 37 CFR §2.119(b)(4), a true and correct copy of the foregoing instrument was served by first class mail on this the 24th day of May 2012, to the following attorney of record for Opposer as follows:

Tim Headley
Law Offices of Tim Headley
7941 Katy Fwy., Suite 506
Houston, Texas 77024

**Attorney for Opposer
Sugarland Properties, Inc.**

/s/Paul S. Beik

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**ATTORNEY FOR APPLICANT
EDMUND D. SAMORA, LLC**